

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
NORTHEASTERN DIVISION

|                         |   |                                |
|-------------------------|---|--------------------------------|
| LEE THOMAS DOBYNE,      | ) |                                |
|                         | ) |                                |
| Plaintiff ,             | ) |                                |
|                         | ) |                                |
| v.                      | ) | Case No. 5:15-cv-01814-KOB-JHE |
|                         | ) |                                |
| MARVIN WIGGINS, et al., | ) |                                |
|                         | ) |                                |
| Defendants.             | ) |                                |

MEMORANDUM OF OPINION

The magistrate judge filed a report on February 17, 2017, recommending this action be dismissed without prejudice for failing to state a claim upon which relief can be granted, pursuant to 28 U.S.C. § 1915A(b)(1).<sup>1</sup> (Doc. 14). Although the magistrate judge advised the plaintiff of his right to file specific written objections within fourteen days, he has filed no objections.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, the magistrate judge ADOPTS the magistrate judge's report and ACCEPTS his recommendation. Therefore, in accordance with 28 U.S.C. § 1915A(b)(1), the court finds that this action is due to be

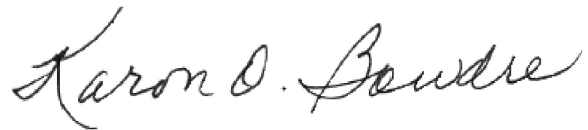
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<sup>1</sup> Accordingly, the plaintiff's motion to expedite the proceedings, (doc. 13), should be DENIED as MOOT.

dismissed without prejudice for failing to state a claim upon which relief can be granted.

The court will enter a separate Final Order.

DONE and ORDERED this 24th day of April, 2017.

A handwritten signature in black ink, reading "Karon O. Bowdre". The signature is written in a cursive, flowing style.

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KARON OWEN BOWDRE  
CHIEF UNITED STATES DISTRICT JUDGE